

REMARKS

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1, 2, 4-7, 9-14, and 16-19 are pending in the present application. Claims 1, 6, 13 and 19 are the independent claims.

Claims 3, 8, and 15 have been cancelled without prejudice or disclaimer. Claims 1, 6, and 13 have been amended. No new matter has been added.

Claims 1-19 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,067,519 to Lowry. This rejection is respectfully traversed.

Independent claims 1 and 13 recite, inter alia, attaching an extension to a right boundary of the left speech unit and an extension to a left boundary of the right speech unit, the attaching including: determining whether extra-segmental data of the left and/or right speech units exists in the speech database; extending the right boundary of the left speech unit and the left boundary of the right speech unit by using existing data if the extra-segmental data exists in the speech database; and extending the right boundary of the left speech unit and the left boundary of the right speech unit by using an extrapolation if no extra-segmental data exists in the speech database.

Independent claim 6 recites, inter alia, that a boundary extension unit determines whether extra-segmental data of the left and/or right speech units exists in the speech database, extends the right boundary of the left speech unit and the left boundary of the right speech unit either by using existing data if the extra-segmental data exists in the speech database, and extends the right boundary of the left speech unit and the left boundary of the right speech unit either by using an extrapolation if no extra-segmental data exists in the speech database.

Independent claim 19 recites, inter alia, a boundary extension unit determining whether extra-segmental data of a left and/or right speech units exists in a speech database, and extending a right boundary of the left speech unit and the left boundary of the right speech unit either by using existing data if the extra-segmental data exists in the speech database or by using an extrapolation if no extra-segmental data exists in the speech database.

It is to be appreciated that claims 1, 6, and 13 have been amended to respectfully recite features of cancelled claims 3, 8, and 15.

Applicants respectfully submit that Lowry does not teach at least the aforementioned features for at least the following reasons.

Lowry relates to waveform speech synthesis and discusses joining portions of a waveform by forming extrapolations at an end of one portion and at the beginning of another portion, determining an overlap region of the extrapolations, and then smoothly joining the portions using a weighted sum analysis.

In rejecting claims 3, 8, and 15, the Office Action contends (by implication only) that Lowry teaches the features of the claims cites FIG. 8 and column 3, lines 30-40 of Lowry for support. (Office Action, page 3). This contention is respectfully traversed.

Applicants have reviewed the cited portions as well as other portions of Lowry and find no such teaching of the aforementioned features. Indeed, it is noted that the Office Action does not even address the specific features of these claims, except to say that “the speech unit comprise [sic] voiced phoneme, performing extrapolations, and superimposing the speech units.” (Office Action, page 3). It is respectfully submitted that this rejection is illogical and confused at best. For example, it is unclear how a unit can comprise a “voiced phoneme,” or how a unit can comprise “performing extrapolation.” Moreover, this rejection fails to address the specific features recited in these rejected claims.

For at least these reasons, the rejection under 35 U.S.C. § 102 is deficient.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1, 6, 13, and 19 are respectfully requested.

Applicants note the erroneous contention that claims 6-19 “are analogous to claims 1-5.” (Office Action, page 4). A review of the claims, however, reveals, for example, that none of claims 11, 12, and 18, which further define the aforementioned features of independent claims 1, 6, and 13, have no “analogy” in any of claims 1-5. And, Applicants respectfully submit that the Office’s failure to substantively address claims 11, 12, and 18 further evidences the Office’s failure to substantively address the aforementioned features of independent claims 1, 6, and 13.

Lastly, as previously noted, the Office Action fails to specifically address even the expressly recited features of dependent claims 11, 12, and 18. Under the Office’s policy of compact prosecution, each claim should be reviewed for compliance with every statutory requirement for patentability in the initial review of the application, even if one or more claims are found to be deficient with respect to some statutory requirement. (MPEP §707.07(g)). It is submitted that the present application is not sufficiently informal, does not present an undue multiplicity of claims, or exhibit a misjoinder of inventions, so as to reasonably preclude a complete action on the merits. Thus, it is submitted that the Office’s failure constitutes a failure to expeditiously provide the information necessary to resolve issues related to patentability that prevents the Applicant from, for example, presenting appropriate patentability arguments and/or

rebuttal evidence. (See The Official Gazette Notice of November 7, 2003). Additionally, it is submitted that the Office's failure needlessly encourages piecemeal prosecution, which is to be avoided as much as possible. (MPEP §707.07(g)). Accordingly, In the event that the Office maintains the rejection of dependent claims 11, 12, and 18, Applicants respectfully request that the Office, in the interests of compact prosecution, identify on the record and with specificity sufficient to support a prima facie case of anticipation, where in the Lowry patent the features of these claims are alleged to be taught.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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